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ABSTRACT

This paper, prepared for a panel discussion of tenure policies, describes newly established Hampshire College's adoption of a contract system, as opposed to a life-tenure system. Following the description is a consideration of possible alternatives within the contract system and of variations to tenure adopted by other campuses. At Hampshire, academic freedom is valued but not linked to the procedural concept of life tenure. Terms of an initial contract are 3, 4, or 5 years; longer options are generally granted to senior faculty members. Faculty are reappointed for not less than 3 nor more than 7 years. The experimental nature of the College combined with the policy of requiring candidates to write a proposal specifying expectations of their performance over the contract period play important roles in faculty commitment. In its examination of reappointment procedures, the College is focusing attention on finding ways to assure due process while using as many evaluative sources of a faculty member's performance as possible. The 2 major questions involve length of contract and uncertainty about trust among trustees, administrators, faculty and students in a college lacking a traditional governance structure. (JS)

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REEXAMINING TENURE AT HAMPSHIRE COLLEGE

--for the AAHE Section on --

"REEXAMINATION OF TENURE: IMPLICATIONS OF COLLECTIVE BARGAINING AND CONTRACTS FOR SERVICE"

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by

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I am pleased and honored to be included on this panel. As you know, Hampshire College is a very new institution. We opened to our first class of students (250 first year and 17 seniors) this past September. Some of the present faculty have been with the College in planning positions for a year or two but generally, we have just begun. We will take an additional 300 plus students this next September and in four years reach a proposed enrollment of 1,500 students, 50% male and 50% female. We are in the business of change and experimentation and that requires that we keep others informed. My presence here, then, has personal and institutional rewards.

What I hope to accomplish in my remarks is to give you some idea of one of the many experiments which Hampshire College is currently undertaking - the adoption of a contract system as opposed to a life-tenure system. Following a description of the procedures under which the College is now operating, I hope to be able to outline some variations on our theme which

might be possible either at Hampshire College at some time in the future, or in other institutions. So that you might know my positions and biases from the outset, it is important for me to state that I strongly support and endorse the concept of academic freedom. I strongly agree with Fritz Machlup when he says that academic freedom means that "we want the teacher and scholar to be uninhibited in criticizing and in advocating changes of (1) accepted theories, (2) widely held beliefs, (3) existing social, political, and economic institutions, (4) the policies and programs of the educational institution at which he serves, and (5) the administration and governing boards of the institution at which he serves. (6) In addition, we want him to be uninhibited in coming to the aid of any of his colleagues whose academic freedom is in jeopardy."* Where I might differ from Professor Machlup, however, is in the linking of these objectives of academic freedom to the procedural concept of life-tenure.

You should also know that I myself have come to no conclusions as to what structural form is best suited to the preservation of academic freedom. I find it interesting to note parenthetically that the strength of the concept of academic freedom and the extent to which it is subscribed to in this country allows me to make use of that concept in questioning and examining the structural systems for its support. In short, I feel pleased and protected as an academician to question the accepted theory and belief that tenure and academic freedom are inseparable, and that I do so without holding tenure myself.

Let me proceed without further delay to describe for you what the contract system at Hampshire College is like at the present time.

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*AAUP Bulletin, Summer, 1964, p. 120.

There are a number of points that bear some discussion and elaboration. First, the opening phrase states that no appointment will be without limit of time. It is currently the procedure at the College that the terms of an initial contract are for three, four or five years. At the present time, with a faculty of almost 50 members, the initial contracts are primarily for three years. The longer options for initial contracts have primarily been granted to more senior faculty members who sought such added lengths of contract as further evidence of the College's interest and commitment in them as teachers and scholars. It is certainly equally true that these more senior staff members are more acquainted with traditional faculty appointment procedures and, as a consequence, more interested in assuring this new institution's commitment to their employment.

The time periods currently specified for terms of contract for re-appointed faculty members are for not less than three, nor more than seven years. The first set of reappointment procedures is currently under-way at the College and, as a consequence, it is impossible for me to report to you what the predominant choice will be for a second contract. I will, however, return later in this paper to the subject of length of contract, and in particular, second contracts, as focal point for revision and subsequent change.

A second item to be noted in Hampshire College's current contract policy is a reference to the experimenting nature of the College itself. I think that it is correct to report that the faculty members currently employed by the College were generally attracted to and maintain their interest in Hampshire College because of its stand on questioning many of the existing procedures in higher education. To question, gripe, moan, and bitch is one thing, but to do as Hampshire is attempting to do--engage in new procedures, invent new structures, and seek new faculty and students

whose predominant characteristic is a history of innovation--is a prospect which none of us were able to refuse. For our purposes here, however, the notion of an experimenting College and its implications as I have just noted play no small part in the commitment of most of the faculty and their good will in trying to give the experiment a fair trial. *

A third point with regard to the College's contract policy which needs emphasis is the notion of a proposal by a candidate of his intentions for his activities during the period of his contract. The College at this point asks the candidate to formulate as clearly and concisely as possible his expectations of his own performance for the period of his contract.

This is not an easy task to perform. To attempt to forecast one's activities with regard to teaching, research and community involvement over a period of several years requires real soul searching and self-analysis. To be honest with the institution and attempt to make as good a case as possible in order to secure employment while at the same time, specifying those elements of employment which will, a few years hence, be examined to measure the extent of accomplishment or failure as the basis for subsequent contract renewal is a difficult task. This notion of proposal writing bears, I believe, close scrutiny. If the demand is high for a clearly articulated statement of intentions on the part of a new faculty member, the grounds for subsequent reappointment or non-reappointment become far easier than is generally the case. Traditionally, the nature of appointments to colleges and universities is much more ambiguous and, in general, based upon a kind of "gentlemen's agreement" between scholars who think they know what they

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* It is interesting to note that this extra measure of good will and commitment is not unique to the new faculty at Hampshire. It is one of the factors which is most clearly evident in our initial student body. A fact which at this point has been a joy to both faculty and administration alike.

can and cannot do, but frequently find that what they both believed to be true was in gross error. The bitterness traditionally fostered by the fact of non-reappointment, or the failure to grant tenure is often engendered by a young faculty member's feeling and belief that he has performed his duties as a junior faculty member not only well, but with distinction, while his department or college or university feel that he has in no way lived up to the terms of his original appointment. There is in the traditional system no way of resolving the debate, for there is nothing save vague platitudes and beliefs about "what everyone knows" the institution expects of its faculty.

A final item to be noted in the examination of the current contract policy at Hampshire College concerns the procedures for reappointment of a faculty member. We are, at the present time, in the process of attempting to establish formal reappointment procedures. I can assure you that the debates around this issue are long, hot, and heavy. The focus of attention, however, has been not so much on the questioning of the contract system itself, as with attempting to assure due process procedures on the one hand, while on the other, exploring and attempting to use, as many of the evaluative sources of the faculty member's performance as possible for fair judgment. There are interesting consequences here, of some of the other experimental programs which Hampshire has established. In particular, the influence of professionalism has been considerably reduced by the fact that the College is not organized along departmental lines, but rather into three schools, that of Humanities and Arts, Social Sciences, and Natural Sciences and Mathematics. Under traditional academic structures, it is crucial to established college or university-wide bodies for the review of appointment procedures, because of the extent to which a particular department's or discipline's judgment of competence and worth might have been in conflict with those of the larger institution, such lack of agreement is considerably less likely at Hampshire College. Such questions strongly reinforce the

complex nature of the relationship between a faculty member, his employer, the goals of the parties involved, and the overall objective of strengthening, not eroding, the concept of academic freedom. *

Let me turn now to a consideration of some possible alternatives within the contract system as I have described it. These alternatives, some of which have been proposed at Hampshire College, and others which have been proposed at other institutions, need serious consideration and testing to discover whether they are worth implementation or rejection.

I would judge that at Hampshire College there are two major areas of questions at the present time. The first concerns the length of contract. Here the focus of attention is more on the length of a reappointed contract than on the length of an initial contract. Most faculty members recognize the necessity for both the institution and themselves checking each other's qualifications for continued partnership. It is with regard to establishing longer term relationships that the stress is occurring. In general, faculty members are urging longer periods for reappointed contracts than the current maximum of five to seven years. Suggestions for these longer term contracts run from ten to fifteen years with the possibility of periodic formal evaluation within that longer period. It is clear that there are many complicating issues surrounding length of contract, not the least of which is the age of the particular faculty member involved. It was clear to the Trustees

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* The complexities are not unlike those discovered by many institutions currently in the process of debating the issue of grades in academic learning. It may be that the symbol is not what matters, but rather what the symbol implies. If tenure (or grades) are removed what is left? Does evaluation in both systems imply constraint, and if so, to what end?

and administrators of the College in the formation of this policy that older and more senior faculty members would need greater degrees of security in their subsequent appointments to the College. As a consequence, it seems to be a part of the College's policy that when someone is appointed after the age of 52, with the assumption of an initial contract, and a seven-year reappointed contract, that such an individual would be considered to have life-tenure. Some of the faculty members at the College, at the present time, would like to see that age of 52 lowered to provide for the assumption of life-tenure at a somewhat earlier age.

Another major concern of faculty at this point in time with contract procedures is with regard to the feelings of trust which may or may not exist between the trustees, administration, faculty, and students. It is certainly not strange that in an institution as young as ours that such sentiments have not yet developed. Their absence, however, has led to a proliferation of governance units which can best be characterized as "maximum feasible participations" by the governed on the various governing bodies. This tendency toward participatory democracy exists throughout the College, but its implications are only recently being felt with regard to faculty reappointment. The problem of assessing a faculty member's performance has always been difficult but the responsibility lay with a relatively small group. Traditionally, the chairman and senior members of a department are the persons held responsible for assessing the performance quality of a younger faculty member. It is their recommendation which is passed on to the university administration for action on reappointment or tenure questions. At Hampshire, the assessment of a faculty member's abilities are shared by a much wider constituency. Advisees, students from courses, colleagues in one's own school as well as in other schools in the College and colleagues outside the College are all solicited for opinions of the performance of a faculty member up for reappointment. At the present time then, each school must organize this data gathering process and arrive at a decision as to

whether or not to recommend reappointment. The recommendation of the school is sent to the Dean of the College and then to the President for their rejection or approval. Under a system being proposed the recommendations of the school would pass, rather than to the Dean of the College, to a College-wide committee that would make their recommendations to the President. The President then makes his recommendation to the Board of Trustees who has the power for appointment and reappointment of faculty. It is my opinion that with a college of our size, this is an extremely cumbersome procedure.

It is still too early to tell what implications this early structuring will have for academic freedom. It has already been noted by faculty members who are currently up for their first round of reappoinment procedures, that the short term contracts in combination with the complexity of the review process have led to a business mentality on the part of the reappointed faculty members. One gets the sense of their rushing about to make sure that their quotas are met prior to the deadline, or in our academic terms, attempting to complete aspects of their proposal and commitments to teaching and advising at the College prior to the time that their recommendations are requested for the reappointment procedure. I recognize that such constraints seem contrary to the notion of academic freedom which we elaborated at the beginning. I feel, however, that they are small by comparison with the constraints of traditional departments to produce writing and research according to standards of professional societies rather than those of their own institutions or their own personal judgments.

If this paper has a theme, it is that the many questions which we raise here and which have been raised elsewhere concerning faculty personnel procedures need inquiry themselves. When the products of that kind of examination have been carefully conducted and examined, it will be time for

us to say which system preserves the notion of academic freedom the best, while at the same time recognizing the financial constraints of the institution and the desires for security on the part of the professional staff. We have already noted that contracts of variable length are one variation. They are, however, by no means the only possible variation. Judging from recent newspaper stories, it seems that we are on the verge of greater collective organization on the part of the faculties. This effort of self-discipline, the recent reorganization of faculty roles at the University of California at Berkeley and at Stanford University has been organized to build professional sanctioning powers into faculty organization. Whereas initially these efforts have been devoted to keeping the faculty's house in order during the past turmoils of campus unrest, it is easy to see their implications for collective organization for the support and defense of academic freedom. The salutory effect of such faculty collective action on questions of academic freedom is that they need not be restricted to those faculty members who have been in faculty posts for the prescribed seven to eight years, but rather, can be open to all academic positions. This is a point which answers one of the major critiques of the tenure system as it currently exists--the protection of academic freedom for nontenured faculty ranks.

Along these lines, I would recommend to you a paper by Professor Robert Nesbit which appeared in Public Interest in the Fall of 1965. In that paper, which was a critique of the present tenure system, Professor Nesbit ends with a partially tongue-in-cheek suggestion that tenure, rather than being granted to more senior professors after proof of their professional credentials, should be granted upon employment of a faculty member for a period of "perhaps 15 years." Professor Nesbit goes on to suggest that as the new faculty member moves up the rank ladder, his tenure might be reduced to ten years at the rank of assistant professor, to five years at associate professor, but with the granting of a full professorship, all

tenure ceases, for "by very proof of his right to this exaulted rank, he has proved also his capacity, through teaching and scholarship for retaining it on merit." I am in considerable agreement with Nesbit on the question of where the responsibility for change must lie. It is with the faculty themselves that responsibility for the preservation of academic freedom must be initiated and enforced.

The subject of faculty security is a particular troublesome one when operating in a non-tenured institution. The consequences of continual pressure for evaluation; uncertainty in a new, traditionless institution; relatively short contracts; an extremely tight job market; and the feeling of relative isolation, both geographically as well as academically, to the mainstream of higher education; all contribute to a feeling of insecurity. We have already touched on proposals to lengthen the contract periods. Elsewhere, others have proposed enlarged annuity programs to insure financial security at earlier ages to give older faculty members reduced involvement at ages when full-load work is difficult for them and their institutions. We are also interested in exploring the possibility of faculty rotation or exchange through other colleges and universities.

This rotation or exchange idea has a number of interesting implications though its application in practice seems extremely difficult. Such potential movement of faculty would allow for the sharing of ideas and programs presently being tried and tested at one institution at others with the help of those who are involved. In effect we are suggesting here that we go one step further than the publication of the results of experimentation to include experienced faculty to interpret the results and try them in a new setting. The consequences for other experimental institutions is clear for they are geared to such activities and could mutually benefit from such contacts. There are however, equal benefits to the more traditional school to take advantage, for one, two, or more years of the special qualifications of a faculty member who has served in an experimental college.

There are other potential benefits of such a system to increasing the efficiency of the matching process between faculty and institutions for longer periods of employment. Rather than the brief and extremely haphazard process of faculty reappointment which presently occurs, the proposed exchanges could provide more relaxed and informal, but at the same time more complete, review procedures for regular faculty posts.

All that I have said here is to be seen as new or suggestive on the relationships between faculties and their employers. It is naive to expect that the small efforts that we at Hampshire College are making would have much impact on higher education if we operate alone. This brings me to my final point. I believe that the AAUP must encourage a much more experimental approach on institutions of higher education. I personally have doubts about the viability of tenure but I have similar doubts about collective bargaining. I hope that the AAUP, with its wide university audience, would sponsor alternative models of faculty employment and would publish the plans, prospects, and reports from such ventures. The encouragement from the AAUP coupled with their reputation as watch dogs of academic freedom could mean much in this era of rapid change in higher education.